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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MAY 14, 2002

APPLICATION OF

THE CITY OF CHESAPEAKE

CASE NO. PUE-2002-00096

For approval of the condemnation of a utility easement containing 4,214 square feet or 0.00967 acre, more or less, for the installation of a water transmission line on land owned by the City of Suffolk and located in the Sleepy Hole Borough of the City of Suffolk

ORDER GRANTING EXTENSION

On March 1, 2002, the City of Chesapeake ("Chesapeake") filed an application with the State Corporation Commission ("Commission"), seeking to invoke our authority under § 25-233 of the Code of Virginia to grant permission for one entity having the power of eminent domain to initiate a condemnation action to acquire property of another similarly endowed entity, in this case the City of Suffolk ("Suffolk").

The Commission entered an Order on March 7, 2002, permitting Suffolk to answer Chesapeake's application on or before March 27, 2002, and Suffolk timely filed its responsive

**Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.**

pleading. By Order entered April 29, we directed the parties to make certain additional filings.

By letter request filed May 8, 2002, the Cities have jointly asked for an extension of time to make their responsive filings, explaining that our Order of April 29 did not arrive in their respective offices until May 6, 2002, leaving inadequate time to respond on or before May 10, as originally ordered.

NOW THE COMMISSION, having considered the pleading, is of the opinion and finds good cause has been shown to grant the requested extensions.

Accordingly, IT IS ORDERED THAT:

(1) The Cities shall file their stipulations and statements of facts on or before May 24, 2002.

(2) The Cities may file legal memoranda supporting their respective positions on or before June 7, 2002.

(3) This matter is continued for further orders of the Commission.